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FURTHER PROMOTION AND ENCOURAGEMENT OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS, INCLUDING THE QUESTION OF THE PROGRAMME AND METHODS OF WORK OF THE COMMISSION

HUMAN RIGHTS, MASS EXODUSES AND DISPLACED PERSONS

Written statement submitted by Refugee Policy Group, a non-governmental organization in consultative status (category II)

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[2 February 1995]

Internally displaced persons

1. The growing number of internally displaced persons throughout the world makes essential the development of improved capacities for responding more effectively to their pressing assistance and protection needs. In recent years more international humanitarian organizations and non-governmental groups have become willing to provide humanitarian assistance and protection to persons displaced within the borders of their own countries. In particular, the United Nations High Commissioner for Refugees and humanitarian organizations like the International Committee of the Red Cross have expanded their operations to help address the plight of the internally displaced. The Department of Humanitarian Affairs, especially through the Inter-Agency Task Force on Internally Displaced Persons, has sought to strengthen coordination

between the different agencies; and in December 1994 the Inter-Agency Standing Committee (IASC) approved the Task Force recommendation that the Emergency Relief Coordinator become the reference point to receive requests for assistance and protection on actual or developing situations of internally displaced persons. The IASC also approved the recommendation that the Representative of the Secretary-General on internally displaced persons be invited to participate in Standing Committee meetings when questions of internal displacement are discussed.

2. Despite these constructive steps, international arrangements for dealing with the internally displaced remain largely ad hoc and large numbers of internally displaced persons go without international assistance and protection. The Representative of the Secretary-General on internally displaced persons, appointed at the request of the Commission on Human Rights, remains the only mechanism within the United Nations system charged with focusing exclusively on the critical problems of internal displacement. His appointment has been an important step towards creating a focal point within the United Nations system around which to build greater attention to the internally displaced, in particular their protection needs.

3. Since his appointment in 1992, the Representative has regularly visited countries with serious problems of internal displacement, monitored the protection needs of displaced populations, analysed existing legal standards and their applicability to the internally displaced, and published reports with recommendations to Governments and the international community for improving their plight. In carrying out this mandate, he has collaborated closely with humanitarian agencies, with human rights bodies, and with NGOs in an effort to encourage a comprehensive approach to the problem of internal displacement. It is important that the Commission recommend the extension of his mandate for a minimum of three years to enable the Representative to continue to focus attention on the critical problems of internally displaced persons and develop strategies and solutions to ameliorate their often desperate situation.

4. It is also important that sufficient resources be made available so that the Representative will be able to fulfil his responsibilities effectively. The growing number of humanitarian emergencies throughout the world makes continued leadership in this area essential.

5. Adequate resources would enable the Representative to undertake a substantial number of visits a year to countries with problems of internal displacement. There are at least 40 countries in the world with serious problems of internal displacement. The Representative also should be enabled to undertake follow-up visits so as to ensure that improvements are made in the situation.

6. An information centre needs to be created to collect data on a systematic basis on cases of internal displacement. At present, there is no central point within the United Nations system that brings together information on the needs of the internally displaced. Without such data, effective programmes and strategies cannot be designed, and situations can be overlooked.

7. The specific protection needs of internally displaced women and children need greater attention. Although most internally displaced persons are women and their dependent children, the particular abuses to which they have been subject, in particular sexual violence and forcible recruitment, need to be fully documented and strategies developed for remedying their situation.

8. Strengthening international presence in locations where there are protection problems is another important way to contribute to the better protection of the internally displaced. As experience in El Salvador, the former Yugoslavia and Rwanda has shown, the deployment of human rights monitors can play an important role in collecting information, ascertaining protection needs, contacting local authorities and alerting the international community to problems requiring attention. Monitors also can play a significant role in trying to prevent possible human rights violations. In addition, monitors can be valuable in advising when conditions are sufficiently safe to warrant return home and assist with the actual returns of internally displaced persons. By strengthening operational presence in the field, the Representative's ability to contribute to protection, prevention and solutions will be enhanced.

9. The Commission on Human Rights can undertake additional steps as well to promote increased protection for the internally displaced. It could begin systematically to focus attention on specific situations of internal displacement warranting international attention, especially in cases where dialogue has failed to produce constructive results and substantial numbers of lives are at risk. Through its advisory services programme, it could seek to create national institutions and procedures that could provide remedies for the internally displaced. It could contribute to the development of a legal framework for the internally displaced through the adoption of a body of principles drawn from existing human rights and humanitarian law but tailored to the specific needs of the internally displaced. It could develop human rights training programmes for humanitarian relief personnel and peace-keeping forces to enhance their capacity to identify human rights abuses and report them. It could seek to promote greater coordination between human rights programmes in the field and the work of humanitarian agencies.

10. The 1993 World Conference on Human Rights emphasized the importance of United Nations human rights bodies giving special attention to the issue of internal displacement, and the Centre for Human Rights has developed, subject to the availability of resources, a plan of action to carry out efforts on behalf of the displaced. We respectfully call upon the Commission on Human Rights to advance the creation of a more effective international system for addressing the problem of internal displacement and for responding rapidly and effectively to the human rights and humanitarian emergencies that result in massive displacement.